

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

JAMES CHANEY, JR.
ADC #158270

PLAINTIFF

v.

4:18-cv-00937-JM-JJV

WENDY KELLEY, Director,
Arkansas Department of Correction; *et al.*

DEFENDANTS

ORDER

The Court has reviewed the Recommendation submitted by United States Magistrate Judge Joe J. Volpe. No objections have been filed. After careful review, the Recommendation is approved and adopted in its entirety as this Court's findings in all respects.

IT IS THEREFORE ORDERED that:

1. The Amended Complaint (Doc. No. 4) is DISMISSED WITHOUT PREJUDICE for failure to state a claim upon which relief may be granted.
2. Dismissal of this action is a "strike" under 28 U.S.C. § 1915(g).
3. It is certified, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from this Order and the accompanying Judgment would not be taken in good faith.

Dated this 12th day of March, 2019.


UNITED STATES DISTRICT JUDGE